

**Appointment**

**MEMORANDUM**

October 1, 2009

TO: County Council  
FROM: Justina J. Ferber, Legislative Analyst  
SUBJECT: Appointment - Board of Appeals Member

**BACKGROUND**

The term of Board of Appeals member Carolyn Shawaker (Democrat) expired in September and she has applied for reappointment. Ms. Shawaker was appointed in October 2008 to fill the vacant term of Caryn Hines. She is the sole applicant for her expiring term. By law, no more than three members of the Board shall be from the same political party. This position may be filled by a Democrat, Republican, or a voter who declines to affiliate with a party.

Current members of the Board include Walter S. Booth (Democrat); Stan Boyd (Democrat); David K. Perdue (declined to affiliate); Carolyn Shawaker (Democrat); and Catherine Titus (Republican), Chair.

**ROLE OF THE COUNTY EXECUTIVE**

Section 2-108(a) of the Montgomery County Code states that "The Council shall request the County Executive to provide within thirty (30) days a recommendation as to qualified applicants prior to any appointment".

A memorandum was sent to the County Executive requesting his recommendations on the Board of Appeals vacancies. The Executive has responded as follows:

*"Since the members of the Board of Appeals are appointed by the Council, I will concur with your selections based on applicant information provided."*

**COUNCIL ACTION**

Attached for the Council's consideration is a draft resolution to reappoint Carolyn Shawaker to the Board of Appeals.

**This packet contains:**

**Circle #**

Draft Resolution – Carolyn Shawaker	1
Background Information	2
News Release	3 - 4
Resume	5 - 6

Resolution No.: \_\_\_\_\_  
Introduced: \_\_\_\_\_  
Adopted: \_\_\_\_\_

COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND

---

By: County Council

---

Subject: Appointment of Member to the Board of Appeals

Background

1. The Montgomery County Code, Sections 2-108 through 2-116, establishes a County Board of Appeals.
2. The term of Carolyn Shawaker expired in September 2009.
3. Membership shall consist of five members with no more than three of the five members of the Board from the same political party.
4. Current members of the Board include Walter S. Booth (Democrat); Stan Boyd (Democrat); David K. Perdue (declined to affiliate); Carolyn Shawaker (Democrat) and Catherine Titus (Republican).

Action

The County Council for Montgomery County, Maryland, approves the following resolution:

Appointment of, Carolyn Shawaker, P.O. Box 339, Garrett Park, Maryland, 20896, effective immediately to the Board of Appeals until September 2013 or until a successor has qualified and has been appointed.

This is a correct copy of Council action.

---

Linda M. Lauer  
Clerk of the Council

## BOARD OF APPEALS

**Created:** Montgomery County Code, Sections 2-108 through Section 2-116.

**Term:** Four years.

**Purpose:** Exercise functions and powers of regional district as such functions and powers are prescribed in Maryland-Washington District Act to extent that such functions and powers are not vested in another administrative officer or agency. Hear and decide: all petitions for special exceptions, except as otherwise provided in County Code; all petitions for variances; and administrative appeals including all appeals taken under the Building Code; all appeals concerning licenses for hospitals, sanitariums, nursing homes and care homes; and all appeals concerning licenses for private educational institutions. Also hear and decide appeals concerning: orders directing the removal of garbage, ashes, rubbish and weeds, orders directing removal of diseased trees, orders directing removal of obstructions to vision along highways, orders concerning restaurant permits, construction of excreta disposal plants, orders regarding uninhabitable or dangerous buildings, licenses for riding schools and stables, licenses for child care homes, licenses for places of amusement and amusement enterprises, the hotel license law, the plumbers and gas fitters license law and the Plumbing and Gas Fitting Code, the electrical contractors license law, and all other appeals as the Board may be authorized to hear from time to time by law, ordinance, or resolution.

**Membership:** Five members, who must be residents of the County, are appointed by the County Council. No more than three members shall be from the same political party. The Chair is appointed by Council.

**Financial Disclosure:** Public financial disclosure statements must be filed.

**Compensation:** Chair - Catherine Titus (was \$20,000); Member - \$14,151. Both receive annual cost-of-living adjustments each December to reflect 50% of the change in the Washington Area Consumer Price Index.

**Meetings:** Full day every Wednesday and additional days as necessary.

<b><u>Current Members:</u></b>	Walter Booth	(Dem.)	(term expires 09/2012)
	Stan Boyd	(Dem)	(term expires 09/2011)
	David Perdue	(Ind.)	(term expires 09/2011)
	Carolyn Shawaker	(Dem.)	(term expired 09/2009)
	Catherine Titus	(Dem.)	(term expires 09/2010)

Walter Booth (Democrat)  
Appointed 10/08; Term expires 9/12  
Silver Spring, MD

David Perdue (Declined to Affiliate)  
Appointed 9/07; Term expires 9/11  
Silver Spring, MD

Stan Boyd (Democrat)  
Appointed 2/09; Term expires 9/11  
Silver Spring, MD

Catherine Titus (Republican)  
Appointed 10/06; Term expires 9/10  
Bethesda, MD

Carolyn Shawaker (Democrat)  
Appointed 10/08; Term expired 9/09  
Garrett Park, MD



# Montgomery County Council

For Immediate Release

June 16, 2009

FOR INFORMATION: Justina Ferber 240-777-7938

## Montgomery Council Seeks Applicants for One Position on County Board of Appeals

*Deadline to Submit Applications is Wednesday, September 9*

N  
E  
W  
S  
  
R  
E  
L  
E  
A  
S  
E

ROCKVILLE, Md., June 16, 2009—The Montgomery County Council is seeking applicants for an expiring term on the County Board of Appeals. The term of Carolyn Shawaker (Democrat) expires in September 2009. Ms. Shawaker had indicated that she will apply for reappointment.

Applications for the position must be received no later than 5:00 P.M. on Wednesday, September 9.

By law, no more than three members of the Board shall be from the same political party. This position can be filled by a Democrat, a Republican, a voter who declines to affiliate with a party or someone who is a member of another party officially recognized by the Board of Elections.

Current members of the board, including Chair Catherine Titus (Republican), are Walter S. Booth (Democrat), Stan Boyd (Democrat), David K. Perdue (declined to affiliate), and Carolyn Shawaker (Democrat). Members of County boards, committees and commissions may not serve on more than one such group at a time.

Members of the board receive \$14,151 annually, with the chair receiving \$20,000. Salaries are adjusted annually each December to reflect 50 percent of the change in the Washington Area Consumer Price Index.

Duties of the Board of Appeals include making decisions on most applications for special exceptions as provided in the Zoning Ordinance; hearing and deciding requests for variances from development standards contained in the Zoning Ordinance; and hearing appeals from certain administrative decisions rendered by county government agencies.

(MORE)

3

The board normally holds weekly hearings all day Wednesday and worksessions every other week. If necessary to accommodate an extended caseload or continued hearings, the board schedules hearings on other weekdays. Members are expected to prepare for the hearings by reading the cases to be heard and to share the workload of drafting and editing opinions or to follow-up on investigations on specific cases. Members work approximately 15-25 hours a week.

The principal jurisdiction of the Board of Appeals (concerning special exceptions and variances under the Zoning Ordinance) does not include the municipalities of Barnesville, Brookeville, Gaithersburg, Laytonsville, Poolesville, Rockville and Washington Grove. The normal Council practice is not to appoint residents of those municipalities to the board.

Letters expressing interest, including a resume listing professional and civic experience, should be addressed to Council President Phil Andrews, County Council Office, Stella B. Werner Council Office Building, 100 Maryland Avenue, Rockville, Maryland 20850. Applications must be received no later than 5:00 P.M. on Wednesday, September 9. It is the Council's policy not to consider applications received after the deadline. After the September 9 deadline, Councilmembers will review the letters of application and select applicants for interviews.

Letters of application are made public as part of the appointment process. The names of all applicants are published and resumes are made available for public review. Interviews are open to the public. A financial statement of assets, debts, income and family property interests will be required of all applicants. Only the appointed candidates will be required to make the financial statement available to the public.

# # #

BCC-BOA

JF  
CC

*P.O. Box 339  
Garrett Park, MD 20896  
301-949-3729*

Phil Andrews, President  
Montgomery County Council  
100 Montgomery Avenue  
Rockville, MD 20850

050500



Dear President Andrews:

With this letter I am applying for re-appointment to the Montgomery County Board of Appeals. I am a Democrat.

During my current appointment, I have found that my municipal experience with variances and other land use issues has been most useful. I have also learned a great deal, especially about Special Exceptions. It has been very interesting to work with my colleagues to craft the conditions of Special Exceptions in order to allow businesses, swimming pools, private schools, hospitals, among others to operate and provide communities with needed services. At the same time we have worked to insure that the conditions preserve local communities and so that the residents living near the Special Exceptions are able to enjoy the use of their homes without having to bear an undue burden.

It has been a pleasure serving with the other members of the Board for whom I have great respect. It has also been a pleasure to have the opportunity to learn new material and more about our county. It is very satisfying to continue to participate in public service. Therefore, I would be both pleased and grateful to be re-appointed to the Board of Appeals.

Sincerely yours,

*Carolyn Shawaker*  
Carolyn Shawaker

Carolyn Shawaker  
4711 Argyle Ave  
Garrett Park MD 20896-0339

200 JUN 20 AM 8 57

PHIL ANDREWS  
MONTGOMERY COUNTY COUNCIL

5

## RESUME

Carolyn Shawaker  
P O Box 339  
Garrett Park, MD 20896  
cshawaker@yahoo.com  
301.949.3729, 301.787.2468

### **Employment:**

Teacher 3 years in Illinois 1962-1964

Teacher 37 years, Walt Whitman High School, Bethesda, Maryland  
Subjects: government, comparative religions, sociology, East Asia history, AP human  
geography - 1966-2003

Federal Bureau of Prisons - National Training School for Boys, teacher and case worker -  
1965

### **Elected:**

Illinois College Young Democrats, President - 1961-1962

Mayor Town of Garrett Park, 2004-2008

Garrett Park Council Member 2002-2004

Maryland Municipal League's Legislative Committee 2004-2008

President of Montgomery County Chapter of the Maryland Municipal League 2007-8

Regional Vice-President of the Maryland Municipal League 2007-8

Maryland Municipal League's Legislative Committee 2004-2008

### **Community Service:**

Secretary, Garrett Park Swimming Pool Association - 1998-2002

Treasurer, Garrett Park Woman's Club - 1997-2008

Represented Garrett Park on the Montgomery County Martin Luther King, Jr.  
Celebration Committee 2001-2003

Montgomery County Board of Appeals 2008-2009